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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

STRACHAN

Atty. Ref.: 3714-3; Confirmation No. 9802

Appl. No. 10/051,139

TC/A.U. 3629

Filed: January 22, 2002

Examiner: M. FISHER

For: PICK POOLS SYSTEM AND METHOD USING PACKET-SWITCHED NETWORK

* * * * *

May 11, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE
TO RECEIVE OFFICE ACTION**

Applicant hereby petitions the USPTO to withdraw the Holding of Abandonment based on the failure of applicant to receive the Office Action dated October 11, 2006. See MPEP §711.03(c)I(A).

The Notice of Abandonment dated May 4, 2007 indicates that the instant application was abandoned because a Response was not filed in response to the Office Action *allegedly* mailed October 11, 2006. Upon receiving the Notice of Abandonment dated May 4, 2007, a review of the USPTO's PAIR system indicated that a Non-Final Rejection was allegedly mailed October 11, 2006. However, the applicant (including the undersigned) never received the Office Action dated October 11, 2006.

STRACHAN

Appl. No. 10/051,139

May 11, 2007

The applicant (including the undersigned) has searched the file jacket and docket records relating to the instant application, and both indicate that the Office Action dated October 11, 2006 was not received by applicant. A copy of the relevant docket record relating to this case is attached hereto, evidencing that the Office Action dated October 11, 2006 was not received by applicant. The attached docket sheet, last updated December 28, 2006, does not indicate any Office Action having been received, and instead indicates a Call-Up to be done on June 28, 2007 to see if an Office Action has been received. Thus, the attached docket sheets clearly indicates that the Office Action dated October 11, 2006 was not received by applicant.

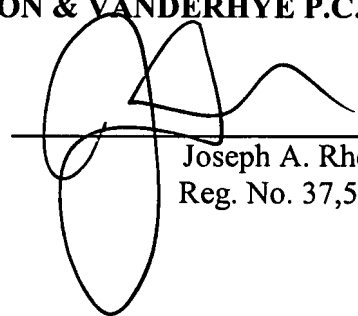
In view of the above, it is respectfully requested that the Notice of Abandonment dated May 4, 2007 be withdrawn, and that a new Office Action be mailed to applicant.

It is believe that no fee is necessary. Please advise if there should be any questions.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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10/051,139

Pick pools system and method using packet-switched network



Select New Case	Application Data	Transaction History	Image File Wrapper	Continuity Data	Published Documents	Address & Attorney/Agent
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Transaction History

Date	Transaction Description
05-04-2007	Mail Abandonment for Failure to Respond to Office Action
04-30-2007	Abandonment for Failure to Respond to Office Action
10-11-2006	Mail Non-Final Rejection
10-02-2006	Non-Final Rejection
01-22-2002	Information Disclosure Statement considered
02-16-2006	Case Docketed to Examiner in GAU
12-16-2005	Case Docketed to Examiner in GAU
10-04-2005	Case Docketed to Examiner in GAU
10-29-2004	Miscellaneous Incoming Letter
03-21-2005	IFW TSS Processing by Tech Center Complete
01-26-2005	Case Docketed to Examiner in GAU
09-22-2004	Case Docketed to Examiner in GAU
03-11-2002	Case Docketed to Examiner in GAU
01-22-2002	Preliminary Amendment
01-22-2002	Information Disclosure Statement (IDS) Filed
02-20-2002	Case Docketed to Examiner in GAU
02-11-2002	Application Dispatched from OIPE
02-08-2002	Application Is Now Complete
01-31-2002	IFW Scan & PACR Auto Security Review
01-22-2002	Initial Exam Team nn

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Docket Number	3714-0003	Attorney	Joseph A. Rhoads
Country	United States	Attorney #2	
Case Type	Utility Appln.	Attorney #3	
Relation Type	Continuation	Client Name	Richard B. Strachan
Filing Type	Non-PCT	Assignee/Applicant	
		Client Reference No	

PICK POOLS SYSTEM AND METHOD USING PACKET-SWITCHED NETWORK

Inventors	PCT Publication No.	Related Cases	Title	Comus Related Case Info
Filing Data	Customer/Product/Assoc.	R/F-ProcDoc/Con US Con For	Actions/Due Dates	Misc/MGM/Trans/Abn/Comus#
Action	Mail Date/Due Date	Rollod Date	Completed Date	Action Notes
IDS Filed?	4/22/2002		1/22/2002	
Filing Receipt Recv'd?	7/22/2002		2/8/2002	
Office Action Received?	6/28/2007			
IDS Filed				
Filing Receipt (OFH)				
1st Action Mail Date				
*				

Created: 1/22/2002 Updated: 12/28/2006 11:37 AM By: BAG

~~SCS 4017-19 10/893,491 Resp Due 6 mo (F)~~ 3/12/07
~~SCS 550-590 10/889,318 Resp Due 6 mo (F)~~ 12-11-06
~~SCS 550-012 11/004,229 Resp Due 6 mo (F)~~ 1-11-07
~~ARC 4845-97 11/175,0X6 Resp Due 6 mo (F)~~ 3/9/07
~~HWB 2406-130 10/508,991 Resp Due 6 mo (F)~~ 2/11/06
~~LCM 3052-50 10/525,955 1 mo. Resp 5X (F)~~ 10-11-06
~~HWB 4002-30 09/948,101 6 mo Resp FR (F)~~ And refiled 9/15/06
~~HWB 4009-30 09/948,101 6 mo Ntc Appl (F)~~ Shilliney Amett filed 9/15/06
~~JRL 2380-956 10/537,786 6 mo Resp (F)~~ 12-12-06
~~PTB 4398-237 10/433,986 6 mo Resp (F)~~ 3-12-07
~~MNL 2018-756 10/627,688 6 mo FR Resp (F)~~ 1-4-2007
~~MNL 2018-756 10/627,688 6 mo Ntc Appl (F)~~ W/d per o/a 1/12/07
~~JRL 2380-784 10/700,515 6 mo Resp (F)~~ DROP PER CLT.
~~HWB 914-170 10/687,620 6 mo FR Resp (F)~~ 1/10/07 filed
~~HWB 914-170 10/687,620 6 mo Ntc Appl (F)~~ 3/6/07
~~LSN 36-1701 10/468,779 6 mo Resp (F)~~ 12-12-06
~~WFG 4753-4 11/321,090 6 mo Resp (F)~~ 12-11-06
~~QJTS info 1093-7 10/508,313 6 mo Resp (F)~~ 3-12-07
~~QJFE 4380-167 11/046,227 6 mo Resp FR (F)~~ NAP filed 3-12
~~QJFE 4380-167 11/046,227 6 mo Ntc Appl (F)~~ NAP filed 3-12
~~?DTB 141-436 79/014,570 6 mo TM FR~~ not to be filed
~~?DTB 141-436 79/014,570 6 mo TM Ntc Appl~~ not to be filed
~~DJB 141-390 70/628,502 6 mo TM Resp~~ 11/13/06
~~HWB 4001-30 9/948,101 6 mo Ntc Appl~~ NOA RECD 10/13/06
~~DMS 4112-7 10/647,132 6 mo Resp~~ 1-11-07
~~JHN 4960-2 11/300,642 6 mo Resp~~ 1-11-2007
~~CC 36-1518 10/019,012 Issue/Pub Fee~~ 3/5/07
~~CC 36-1518 10/019,012 Drawings Due~~ DDKT
~~LSN 36-1540 10/110,980 Issue Fee~~ 3/7/07
~~LSN 36-1540 10/110,980 Drawings Due~~ DDKT
~~WGN 723-1594 10/953,436 Issue/Pub Fee~~ 12/21/06
~~WGN 723-1594 10/953,436 Drawings Due~~ DDKT
~~JRL 4011-8 10/497,189 Issue/Pub Fee~~ 3-1-07
~~JRL 4011-8 10/497,189 Drawings Due~~ DDKT
~~MIS 1035-614 11/292,359 Issue/Pub Fee~~ 1-29-07
~~MIS 1035-614 11/292,359 Drawings Due~~ issued
~~HWB 1035-582 10/529,057 Issue + Publ Fee~~ 2/20/07
~~HWB 1035-582 10/529,057 Drawings~~ not due - DDKT
~~SCS 124-1145 10/565,016 Issue + Publ Fee~~ 2-27-07
~~SCS 124-1145 10/565,016 Drawings~~ ddket
~~JRL 550-520 10/775,339 Issue + Publ Fee~~ 3/6/07
~~JRL 550-520 10/775,339 Drawings Due~~ DDKT
~~JRL 4147-112 10/530,474 Issue + Publ Fee~~ 3-1-07
~~JRL 4147-112 10/530,474 Drawings Due~~ DDKT
~~BJS 1090-102 10/501,474 Issue + Publ Fee~~ 3/6/07
~~BJS 1090-102 10/501,474 Drawings Due~~ DDKT
~~JHN P-112,017 Response Due to Petition Denied (not in Pen)~~ 5/5/07

MARCH 11, 2007

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